

REMARKS

Favorable consideration of this application is respectfully requested.

The Abstract is amended by the present response to be more clearly directed to the elected species.

The Title is amended by the present response to be more clearly directed to the claims.

The specification is amended by the present response to address the objections noted in paragraph 6 of the Office Action.

Claim 2 is amended by the present response to address the objection noted in paragraph 7 of the Office Action.

Claims 1-3 and 5-48 are pending in this application. Claim 4 is canceled by the present response without prejudice. Claims 1, 3, and 7-48 stand withdrawn from consideration as directed to a non-elected invention/species. Claims 2 and 4 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent 6,604,461 to De Bock et al. (herein "De Bock"). Claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as unpatentable over De Bock in view of U.S. patent 5,351,114 to Matsuno.

Addressing the above-noted rejection of claims 2 and 4 under 35 U.S.C. § 102(e) as anticipated by De Bock and the further rejection of claims 5 and 6 under 35 U.S.C. § 103(a) as unpatentable over De Bock in view of Matsuno, those rejections are traversed by the present response.

Initially, applicants note claim 4 is canceled by the present response without prejudice and claims 5 and 6 are rewritten in independent form. Further, claim 2 is amended to clarify a feature therein.

Specifically, claim 2 now recites that "said transfer fixing member is separated by a space from said intermediate transfer member by a thickness of said toner image". Such a

feature as clarified in claim 2 is fully supported by the original specification for example in Fig. 2. As shown in Fig. 2, the intermediate transfer belt 2 is spaced apart from the transfer fixing roller 13 by a space of a thickness  $g$  of the toner image. With such a structure the intermediate transfer belt 2 and the transfer fixing roller do not contact each other in the area without the toner, and thereby it becomes possible to further reduce the influence of heat on the intermediate transfer belt 2.<sup>1</sup> Such a feature is believed to clearly distinguish over De Bock.

De Bock discloses for example in Figs. 1 and 2 a primary transfer belt 12 in contact with an intermediate transfer belt 50 (see also De Bock at col. 3, lines 26-28). In such ways De Bock does not disclose that a transfer fixing member is separated by a space from the intermediate transfer member by a thickness of the toner image, as now clarified in amended independent claim 2. Thereby, amended independent claim 2 is believed to clearly distinguish over De Bock.

With respect to now independent claims 5 and 6, applicants respectfully submit the proposed combination of teachings of De Bock in view of the teachings in Matsuno would not have been suggested to one of ordinary skill in the art and would be contrary to the teachings in those references.

More specifically, De Bock discloses in Figs. 1 and 2 an intermediate transfer belt 50 in nip contact with the primary image transfer belt 12 for image transfer from the primary image transfer belt 12 to the intermediate image transfer belt 50 (see also De Bock at col. 9, lines 38-41). De Bock further discloses that the "intermediate transfer nip 16 is defined by the two guide rollers 13, 52 being pressed against each other while the transfer belts are fed between them...one or both of the guide rollers 13, 52 at the intermediate transfer nip 16 may

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<sup>1</sup> See for example the present specification at page 9, lines 15-21.

be movably mounted, to enable the roller 13, 52 to be adjusted towards or away from each other” (De Bock at col. 6, lines 28-39).

Matsuno is directed to an electrophotographic copy apparatus including a ribbon-shaped toner image carrier. Matsuno discloses that an “object of the present invention is to provide an electrophotographic copying apparatus which can cope with a comparatively large *variation in the thickness of the recording medium*” (emphasis added; Matsuno at col. 2, lines 51-54). Matsuno further discloses the use of “a heat generating-member 4 as a heating means and a pressure roller 3 opposing the heat-generating member 4 in combination form transfer/fixing means. More specifically, the heat-resistant belt 5 and a paper sheet 1 are caused to pass through *the nip between the pressure roller 3 and the heat-generating member 4* so that the toner image carrier by the heat-resistant belt 5 is transferred and fixed to the paper sheet 1” (emphasis added; Matsuno at col. 6, lines 17-25).

Matsuno further discloses that “[w]hen a *recording medium having a large thickness* is going to be fed into the heat-fixing portion, the motor 65 is energized to drive the cam 64 in such a direction as to weaken the pressing force exerted by the pressure roller 3. When the *surface of the recording medium is rather rough*, the drive motor 65 drives the cam 64 in such a direction as to increase the pressing force exerted by the pressing roller 3” (emphasis added; Matsuno at col. 11, lines 41-48).

In view of the above-noted teachings, it is clear that Matsuno has an object to address situations of a variation in the thickness of a recording medium. Such an object in Matsuno is also thereby necessarily specifically directed to a nip between a pressure roller 3 and a heat-generating member 4 where a paper sheet 1 passes through so that the toner image is transferred and fixed onto the paper sheet 1.

In contrast to such an object and structure in Matsuno, De Bock discloses an intermediate transfer nip 16 where the image is transferred from the primary image transfer

belt to the intermediate image transfer belt. In other words, the intermediate transfer nip 16 in De Bock is not a nip where a paper sheet passes through as in Matsuno. De Bock also thereby cannot be directed to addressing a variation of a thickness of a recording medium at an intermediate transfer nip 16, since such a variation at the intermediate transfer nip 16 in De Bock is not an issue as there is no paper sheet passing through the intermediate transfer nip 16.

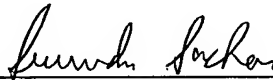
In such ways, the teachings in Matsuno directed to addressing variations in a paper sheet at a nip through which the paper sheet with the variations can pass are irrelevant to the teachings in De Bock directed to a nip in which no paper sheet is present or passes. In such ways, the teachings in Matsuno are not relevant to the teachings in De Bock, and thereby one of ordinary skill in the art would not have combined such teachings in Matsuno to the teachings in De Bock in the manner suggested in the office action.

In view of these foregoing comments, applicants respectfully submit amended independent claims 5 and 6 also distinguish over the applied art.

In view of the present response, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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